

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DANNY LEE MITCHELL,)
)
Plaintiff,)
)
v.) Civil Action No. 05-243
)
AXCAN SCANDIPHARM, INC.,) Judge Lancaster
) Magistrate Judge Hay
Defendant.)

ORDER

AND NOW, this 9th day of Jan, 2007, the parties having advised the Court that the above-entitled matter has been settled and a stipulation of dismissal will be filed in due course, and it appearing that no further action is contemplated by this Court at this time,

IT IS HEREBY ORDERED that the Clerk of Court mark the above-captioned case closed.

Nothing contained in this Order shall be considered a dismissal or disposition of this matter and, should further proceedings in it become necessary or desirable, either party may initiate it in the same manner as if this order has not been entered.



GARY L. LANCASTER
United States District Judge

cc: John G. Burt, Esquire
 401 Wood Street
 Suite 810, Arrott Building
 Pittsburgh, PA 15222

Philip R. Voluck, Esquire
Michael V. DeSantis, Esquire
Kaufman Dolowich Schneider Bianco & Voluck LLP
1777 Sentry Park West
Gwynedd Hall, Suite 301
Blue Bell, NY 19422